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Attorneys for Appellee Tracy Hope Davis,
United States Trustee for Region 17

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

IN RE: The Village at Lakeridge, LLC :
:
Debtor. :

The Village at Lakeridge, LLC	:	
	:	
Appellant,	:	Case No. 3:21-cv-160-MMD
	:	
v.	:	Bankruptcy Case No. 11-51994-BTB
	:	Chapter 11
United States Trustee,	:	
	:	
Appellee.	:	
	:	

**Agreed Motion of United States Trustee to Establish New Briefing Schedule
(First Request)**

Appellee, Tracy Hope Davis, the United States Trustee for Region 17, hereby requests this Court to enter an order under Fed. R. Bankr. P. 8013 establishing a new briefing schedule in this bankruptcy appeal. Counsel for the Appellant agrees to this motion. This is the first motion seeking to extend the briefing deadlines. In support, the United States Trustee states the following:

1. This Court's minute order entered on April 29, 2021, in the docket of this bankruptcy appeal indicates that the Appellant shall have a period of 14 days in which to file and serve an opening brief, the Appellee shall have 14 days thereafter to file and serve an answering brief, and the Appellant shall have 14 days thereafter to file and serve a final reply brief. Docket Entry No. 9. Under this order, the Appellant's opening brief is currently due by May 13, 2021, the Appellee's brief is due by May 27, 2021, and the Appellant's reply brief is due by June 10, 2021.

2. Appellant has brought a constitutional challenge to a statutory amendment to 28 U.S.C. § 1930(a)(6) regarding the quarterly fees that debtors must pay to maintain bankruptcy cases under chapter 11 of the Bankruptcy Code. The issue is one of public importance and will require additional time on both sides to ensure adequate briefing on the merits.

3. The United States Trustee respectfully requests, with the agreement of counsel for the Appellant, that the parties' briefing schedule be extended as follows:

- Appellant's opening brief is due no later than June 21, 2021;

- Appellee's responsive brief is due the later of August 5, 2021, or 45 days after service of Appellant's opening brief;
- Appellant's reply brief, if Appellant wishes to file one, is due the later of September 4, 2021, or 30 days after service of the Appellee's brief.

4. The United States Trustee further requests that entry of an order extending the briefing deadlines be without prejudice to the parties requesting an additional extension of time upon either agreement or a showing of sufficient cause.

Wherefore, the United States Trustee respectfully requests this Court to set a new briefing schedule as set forth above.

Dated: May 10, 2021

By: /s/ Sumi Sakata
Sumi Sakata
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Executive Office for United States Trustees
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IT IS SO ORDERED:



UNITED STATES DISTRICT JUDGE

DATED: May 10, 2021